



DEPARTMENT OF THE ARMY
HEADQUARTERS, US ARMY ARMOR CENTER AND FORT KNOX
239 BINTER STREET
FORT KNOX, KENTUCKY 40121-5202

Expires 19 March 2009

REPLY TO
ATTENTION OF:

IMSE-KNX-MWA

19 March 2007

MEMORANDUM FOR

Commanders, All Units Reporting Directly to This Headquarters
Commanders, Fort Knox Partners in Excellence
Directors and Chiefs, Staff Offices/Departments, This Headquarters

SUBJECT: Fort Knox Policy Memo No. 3-07 – Rights of Alleged Victims and Offenders in Cases of Suspected Child and Spouse Abuse

1. Reference. AR 608-18, The Army Family Advocacy Program (FAP), 30 May 2006.
2. Purpose. This policy memorandum establishes responsibility of this command to prevent incidences of spouse abuse and child abuse/neglect, protect those who are victims of abuse, encourage reporting all instances of abuse, ensure prompt investigation of all abuse cases, and coordinate treatment to all families affected by abuse so they can be restored to a healthy state. The rights of victims and offenders will be respected to ensure the safety of all parties.

3. Discussion.

a. Restricted reporting is the option of reporting an incident of domestic abuse to specified individuals without initiating the investigative process or notifying the victim's commander. Restricted reporting is limited to adult victims of domestic violence who are eligible to receive military medical treatment and not currently a legal spouse, as defined by the Commonwealth of Kentucky.

(1) Restricted reporting is an option only when domestic abuse disclosures are made to a Victim Advocate (VA), the Family Advocacy Program Manager (FAPM), or military health care provider (HCP). If a victim discloses the domestic incident in the presence of anyone other than the specified individuals, the report becomes unrestricted, and the command and law enforcement are contacted.

(2) The victim must sign and date a Victim Reporting Preference Statement; elect a reporting option; indicate that he/she had an opportunity to talk with a VA, FAPM, or military HCP and advised of the benefits and limitations of restricted and unrestricted reporting; and understands the exceptions to restricted reporting and the Department of Defense rationale and preference for unrestricted reporting.

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b. All agency personnel responsible for the investigation of suspected spouse and child abuse will immediately assess the imminent danger for the alleged victim and other family members and take action to ensure their safety. Any action taken pursuant to this paragraph must be in strict accordance with the procedures and limitations outlined in AR 608-18, Chapter 3, Sections IV and V.

(1) Options include restricting the active duty member to the barracks, encouraging one of the adults to temporarily stay with a relative or family friend, or encouraging an adult victim to go to a domestic violence shelter. Transportation to the unit barracks or a shelter will be coordinated for the alleged victim and minor children.

(2) If an alleged adult victim chooses to return to the alleged scene of conflict, he/she will be advised of the potential harmful consequences. Assessment team members will not attempt to prevent the return unless it is believed the adult is not mentally competent to make this decision, or it is known the return would indeed be explosive or harmful to the alleged victim, other adults, or children. In such cases, assessment team members will advise the individual of the potential harm and seek assistance from the Staff Judge Advocate, and in all cases involving children, seek assistance from the Family Advocacy Program Child Victim Advocate.

c. Medical treatment will be offered to the alleged victim(s). Children will receive treatment with permission of a parent, unless taking the child into immediate medical custody is required under AR 608-18, Chapter 3-20.

d. Law enforcement personnel will advise victims of their right to a restraining order or temporary shelter. A DA Form 2701, Initial Information for Victims and Witnesses of Crime, will also be given to the victim. The victim will be given telephone numbers of agencies that will continue investigating the incident and may contact them for further assistance.

e. In child abuse cases, Ireland Army Community Hospital (IACH) Social Work Services (SWS), the US Army Criminal Investigation Command Detachment, and the Family Advocacy Program Child Victim Advocate will make efforts to conduct a joint evaluation to avoid subjecting the child to multiple interviews. Interviewing children will be done in a child-centered environment in a manner that is age-appropriate and protects the child's right to privacy.

f. All information attained during the investigation, assessment, and treatment of Family Advocacy cases will be maintained in confidence according to pertinent military regulations and Kentucky law. Release of information to any military or civilian agency or professional who has a "need-to-know" will be accomplished within these regulations and laws.


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g. The service member's commander will be notified of the incident. The commander will coordinate with law enforcement, SJA, and IACH SWS to ensure victims are protected from further abuse.

4. This Fort Knox policy memorandum will be revised and updated as needed.

FOR THE COMMANDER:


MARK D. NEEDHAM
COL, AR
Garrison Commander

DISTRIBUTION:

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